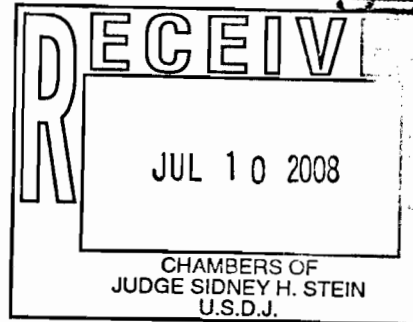


USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/15/08
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 Attorneys for Plaintiff



UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 A.W. FINANCIAL SERVICES, S.A., as successor
 in interest to TERTIAIRE INVESTISSEMENT, S.A.

ECF CASE –Filed Electronically

Plaintiff,

07-CV-8491 (SHS)(RLE)

v.

EMPIRE RESOURCES, INC., AMERICAN STOCK
 TRANSFER & TRUST COMPANY, and AFFILIATED
 COMPUTER SERVICES, INC.,

Defendants.
 -----X

**NOTICE OF MOTION ON CONSENT [47]
 FOR LEAVE TO FILE OUT OF TIME**

PLEASE TAKE NOTICE that, upon the annexed declaration of Jon Schuyler Brooks, dated July 9, 2008, and all prior pleadings and proceedings in the above-captioned matter, plaintiff A.W. Financial Services, S.A. will move this Court before the Hon. Sidney H. Stein, at the United States Courthouse, located at 500 Pearl Street, New York, New York, for an Order either permitting the parties to file a stipulation extending the time for Plaintiff to file its memoranda in opposition to the motions of defendants to dismiss the Amended Complaint or, in

7/15/08 SO ORDERED
 Plt's memoranda
 in opp. to defs' motions
 to dismiss the Amended Complaint
 shall be accepted for filing
 SO ORDERED
 Judge H. Stein
 U.S.D.J.

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(continued)

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the alternative, permitting Plaintiff to file its memoranda out of time.

Dated: Garden City, New York
July 9, 2008

/s/

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